



European Union Aviation Safety Agency
Comment-Response Document 2018-07 (A)

RELATED NPA 2018-07 (A) — RMT.0599 — 16.12.2019

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1. Summary of the outcome of the consultation

Please refer to Section 2.4 of Opinion No 08/2019 (A).



2. Individual comments and responses

In responding to the comments, a set of standard terminology has been applied to attest EASA's position. This terminology is as follows:

- (a) **Accepted** — EASA agrees with the comment and any proposed amendment is wholly transferred to the revised text.
- (b) **Partially accepted** — EASA either partially agrees with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
- (c) **Noted** — EASA acknowledges the comment, but no change to the existing text is considered to be necessary.
- (d) **Not accepted** — The comment or proposed amendment is not agreed by EASA.

(General Comments)	-
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comment

7

comment by: *FNAM*

The FNAM (Fédération Nationale de l'Aviation Marchande) is the French Aviation Industry Federation/ Trade Association for Air Transport, gathering the following members:

- **CSTA: French Airlines Professional Union (incl. Air France)**
- SNEH: French Helicopters Operators Professional Union
- CSAE: French Handling Operators Professional Union
- GIPAG: French General Aviation Operators Professional Union
- GPMA: French Ground Operations Operators Professional Union
- **EBAA France: French Business Airlines Professional Union**

And the following associated members:

- FPDC: French Drone Professional Union
- UAF: French Airports Professional Union

The comments hereafter shall be considered as an identification of some of the major issues the French industry asks EASA to discuss with third-parties before any publication of the proposed regulation. In consequence, the following comments shall not be considered:

- As a recognition of the third-parties consultation process carried out by the European Parliament and of the Council;
- As an acceptance or an acknowledgement of the proposed regulation, as a whole or of any part of it;
- As exhaustive: the fact that some articles (or any part of them) are not commented does not mean the FNAM has (or may have) no comments about them, neither the FNAM accepts or acknowledges them. All the following comments are thus limited to our understanding of the effectively published



proposed regulation, notwithstanding their consistency with any other pieces of regulation.

FNAM thanks EASA for the will of harmonizing applicable European requirements with ICAO disposals. Requirements and guidance are proposed to introduce more precisely the EBT concept, NPA 2018-07 may thus facilitate the implementation and the development of an EBT programme. Since EBT is proposed on a voluntary basis, it would ensure to fit to all operators needs and capabilities. This concept would be more adapted to the different needs of training which depend on crew members experiences, specific operations, aircraft, etc. It may increase the flight safety level.

Nevertheless, transpositions of ICAO and IATA guidance in the EASA's proposed disposals may sometimes be clumsy and even non-consistent for some items. Minimum EBT instructor training course is for instance different between EASA requirements and ICAO & IATA guidance. This distinction may impact the aim of level-playing-field between third-countries and Member States since training provisions may be lighter depending on the country.

Additionally, the main challenge for EBT implementation is the modification of training, roles and responsibilities for instructors and examiners. These points should be clearly identified and described in the EASA's proposed disposals which modify AirOps but also in Aircrew. It seems that examiners responsibilities would not fit with its means of assessment. Examiners would have to assess and validate license solely on the basis of instructors' declarations. FNAM wonders what is EASA's level of apprehension of this issue and its associated risk. Plus, instructors and examiners could be SFI, TRI, SFE, TRE, CRI, CRE, etc. EASA's proposed disposals should clearly differentiate each type of instructors and examiners since they don't benefit of the same training. Currently, they don't have equal responsibilities; it is therefore necessary to present adapted disposals for training and requirements for each type of instructors and examiners. These two points may have significant impacts on flight safety since the EASA's proposed disposals would allow license validation solely based on declarations and would allow to perform EBT trainings by instructors and examiners with inhomogeneous competences.

Then, EASA's proposed disposals proposes to differentiate two types of EBT concept with: (i) EBT programme (deemed to be generic) and (ii) approved EBT programme (deemed to be specific). First, the similarity of these two wordings would ensure confusion between these two concepts. Then, the EASA's proposed disposals are mixing (i) baseline EBT programme requirements from ICAO with (ii) approved EBT programme in European regulations. Requirements for (i) EBT programme and (ii) approved EBT programme are not clearly distinguished and introduce therefore complexity in this EASA's proposed regulation. This confusion would lead to inefficient interpretations and inefficient implementations of European EBT requirements.

Plus, EASA's proposed disposals present guidance *via* a new vector : the 'safety promotions'. FNAM wonders what is the legal status of these guidance. Is it a FAQ? Is it a hard law or is it a soft law? 'Safety promotions' are not GM nor AMC: they could be proposed without any stakeholders consultation. If these guidance are necessary,



FNAM suggests to regroup all guidance in European regulations by integrating ‘safety promotions’ into GM; if not, to suppress ‘safety promotions’.

Finally, EBT principle would mainly benefit large operators since the implementation would imply heavy costs and lot of resources (personnel, time, etc.). EBT principle should however be encouraged to small operators in order to enhance flight safety level and improve the global European training efficiency. Flexible provisions should be provided for small operators in order to facilitate and organize resources and data pooling thanks to manufacturers or between operators to implement EBT.

Therefore, in order to benefit of EBT concept and improve the flight safety level, FNAM would appreciate that EASA’s proposed disposals:

- Clarify and harmonize in all European regulations (current and future) EBT requirements and new definitions;
- Ensure examiners responsibilities correspond to examiners assessment means;
- Ensure adapted demonstrations and trainings depending of types of instructors and their experiences;
- Clarify definitions, requirements and guidance for EBT programme and approved EBT programme;
- Gather all guidance and requirements in this regulation without creating new vectors;
- Allow flexibilities for small operators and encourage the EBT implementation thanks to pooling resources and data.

These main objectives would ensure a better understanding from operators but also from competent authorities. It is necessary to warrantee a harmonized implementation of regulations. Therefore, the level-playing-field and the level of flight safety would be improved by a homogeneous implementation of EBT requirements.

response Noted

comment 30 comment by: *Luftfahrt-Bundesamt*
 The LBA has no comments on NPA 2018-07(A).

response Noted

comment 31 comment by: *UK CAA*
 General comment

Comment: As Appendix 9 will no longer be applicable, the basis for the issue of a licence will be that a pilot has reached a competent standard in the EBT module. Appendix 9 has a very clear set of test items, definable standards and tolerances to ensure a minimum safety standard, but EBT does not have such prescriptive rules. This may be good in many ways, but the process then relies on the



	<p>standard of instruction and integrity of any oversight and training management system.</p> <p>Whilst the EBT instructor training is part of ORO.FC.145, it is not an approval held under an ATO. We are concerned about the ability to achieve and maintain the appropriate 'standard' across all member states. The only 'approval' lies within the Part ARO 'approval of EBT programmes' by the respective NAA. The understanding of what EBT truly is varies across the industry, therefore the standard of instruction will not be the same - as a mitigation, it is strongly recommended that operators must do 2 years of Mixed-Implementation EBT prior to removing Appendix 9 requirements.</p> <p>Justification: Potential lack of standardisation due to varying levels of interpretation and understanding. Improved implementation concepts and regulatory compliance checking would help maintain/improve training standards.</p>
response	<p>Noted, EASA has included in the EPAS a new safety promotion task (SPT.012) to provide guidance during the implementation phase of the rules.</p>
comment	<p>32 comment by: UK CAA</p> <p>General comment</p> <p>Comment: We note that there is no plan for a final assessment/evaluation but only an initial evaluation before further continuous training. This would make it very difficult for the TRI/Operator/NAA to prevent a pilot from flying as he/she would not be checked for competency. We recommend that clear guidance/criteria on minimum standards to be achieved are provided to ensure that pilots reach a demonstrable and safe standard.</p> <p>Justification: Lack of check points in the training would make it very difficult to gauge pilot performance.</p>
response	<p>Not accepted ORO.FC.231 is clarified to ensure there are four simulator sessions where instructors can provide the necessary training to ensure pilots are competent. Furthermore, when a pilot is found to be NOT competent, there are provisions to prevent them from line flying.</p>
comment	<p>33 comment by: UK CAA</p> <p>General comment</p> <p>Comment: The EBTI does not include any criteria/training standards for the TRI's to achieve prior to being able to conduct EBT. TRE's receive significant assessment training in order to be considered competent in this field. TRI's receive no such training. During mixed EBT this will not be an issue as there is still the protection afforded by Annex 9. Thereafter this may result in a wide variation of standards developing and may introduce safety issues.</p>

	<p>Justification: To mitigate any such consequences we recommend that consideration is given to have TRI's assessed periodically by a TRE to validate the efficacy of the programme/instructor competency.</p>
response	<p>Not accepted ORO.FC.146 and ORO.FC.231 (instructor standardisation and concordance assurance programme) among other provision ensure continuous training and assessment of the EBT instructors.</p>
comment	<p>34 comment by: UK CAA</p> <p>General comment</p> <p>Comment: We are concerned that the EBT programme may result in a loss of pilots from the industry as not all pilots/trainers will be able to cope with this model.</p> <p>Justification: Potential for loss of resources due to unintended consequences of the programme. Careful management will be necessary to ensure no detrimental effects of its introduction.</p>
response	<p>Noted See the RIA in the NPA.</p>
comment	<p>35 comment by: UK CAA</p> <p>General comment</p> <p>Comment: We believe that there is a danger of a conflict of interest arising within this proposed programme in that an EBT instructor is required to assess the competence of a pilot to whom he has provided training. The TRI may feel that any under performance by the student would reflect poorly on his instructional technique and he may be tempted to evaluate positively at all times. The TRI will be in the employ of the Operator and there may be subtle perceived/real pressure to ensure pilots complete the modules successfully. To mitigate this situation, we would strongly recommend that any assessment is carried out by an independent TRI or TRE</p> <p>Justification: Standardisation and fairness.</p>
response	<p>Noted The regulation allows the possibility of having different instructors within a module.</p>
comment	<p>36 comment by: Finnish Transport Safety Agency</p> <p>Trafi supports the proposal and has no other comments.</p>
response	<p>Noted</p>

comment	37	comment by: <i>European Powered Flying Union</i>
	<p>European Powered Flying Union thanks the Agency for the preparation of this NPA. For the moment the "evidence-based training" (EBT) topic is CAT-centric, considering the priorities this process is perfectly correct. We think, however, that the basic idea behind the new proposals may also serve to increase the competencies of all "non-CAT licence-holders": pilots conducting non-CAT operations face new challenges as well, training according to the aircraft generation is not unknown to them (we are thinking of e.g. "Annex I" aircraft operated on training flights), we therefore think that "evidence-based training" should be made available to all flight crews.</p> <p>We think to increase the pace, to have helpful provisions in place as quickly as possible, Guidance Material (GM) would be in place within a considerably shorter timeframe. The result of the Agency's impact assessment in our view clearly shows the merits and the profits of EBT: It will bring costs down and answer the needs of the flight crews involved.</p>	
response	<p>Noted</p> <p>The issue will be considered in Phase 3 of RMT.0599 (foreseen for 2023).</p>	

comment	47	comment by: <i>AIRBUS</i>
	<p>The overall content of this NPA appears to be quite complicated. EBT is a challenge, not only in term of understanding but also in term of course design, course implementation, personnel training and concordance and finally licensing. Airbus supports the implementation of EBT but perceives a risk that, because EBT is not mandatory and appears complicated operators with limited resources could be tempted to continue with the traditional training path whereas they could get an important benefit from EBT in term of safety.</p> <p>Another general comment is that time to time in this NPA, the EBT concept is not really fully embraced, as there are still some reference to mandated hours of training, while the concept is not a minimum training duration but a competence goal.</p>	
response	<p>Noted</p>	

Executive Summary

p. 1

comment	4	comment by: <i>Professional Aviation Board of Certification</i>
	<p>The Professional Aviation Board of Certification (PABC) fully supports the proposed changes.</p> <p>PABC believes that the concept of EBT should not only be introduced for qualified pilots as part of their ongoing refresher training, and currency checks (such as OPC and LPC), but should also be introduced in ab-initio training programmes, in due course and in an appropriate format.</p>	
response	<p>Noted</p>	



RMT.0599 Phase 2 is planned to study the possibility of having EBT for initial type rating courses. For initial type rating training programmes, a rulemaking proposal may be submitted to EASA.

comment

8

comment by: *FNAM***ISSUE**

'... to determine the relevance of existing pilot training according to aircraft generation'.

Precisions should be added to the executive summary. Indeed, pilots trainings are adapted to aircraft generation but also to operators activities and operation characteristics, this is the basic principle of EBT programme and approved EBT programme.

PROPOSAL

Add precisions that trainings should be adapted also to operators activities and operations characteristics

response

Not accepted

The proposed provisions ensure that the EBT training programme takes into account the operator's operational risks.

comment

29

comment by: *FNAM***AGREEMENT**

FNAM agrees that EBT should be implemented by operators on a voluntary basis. In that way, operators which have not sufficiency resources and data to implement EBT would not be affected.

response

Noted

comment

48

comment by: *AIRBUS***Page 1 NPA 2017-07 (A) – Executive summary:**

The NPA title is not fully correct as it is not only an update of ORO.FC but also of FCL, ARO and ARA.

response

Noted

comment

49

comment by: *CAE*

The executive summary refers to ATOs as 'affected stakeholders', however there are only 4 single references to ATOs in the NPA (part A) and 4 references in the NPA (part B). Many operators wishing to move towards EBT but not having all the resources to do so may rely heavily on independent training providers (ATOs), such as CAE, who have the knowledge and knowhow, the technical ability, the instructor resource capabilities and simulator innovation to support and provide solutions for EBT.

There are many resource-intensive elements associated with EBT, e.g. data collection (SMS, FOQA, Ops and Training data); Instructor train the trainer programmes and education of pilots and the operator; electronic grading systems, record keeping; resources required for competency and EBT module development, etc. that



	<p>have a significant cost-bearing on an operator. ATOs are able to capture training data objectively and electronically enhancing the instructor's situational awareness for facilitated debriefings, and are able to de-identify and manage this data on a macro level providing valuable input into the recurrent training programme based on crew reaction to simulation scenarios. We believe, therefore, that as an identified stakeholder, it is critical to include the ATO community in future discussions within the EBT rulemaking perspective on how best to pass on to Operators our knowledge and management of digital data, amongst other things. We are a reliable source to facilitate and support the implementation, training, programming and data collection/support elements required for EBT.</p>
response	<p>Noted</p> <p>This phase of RMT.0599 is dedicated to recurrent training and checking under Part-ORO. The operator may sub-contract the activities under ORO.GEN.205; therefore, the regulatory impact assessment is also applicable to ATOs under ORO.GEN.205.</p>

1.3. The next steps

p. 4

comment	<p>9</p> <p>comment by: <i>FNAM</i></p> <p>ISSUE</p> <p>One of the next step after this NPA would be Operator Conversion Course and type rating training for CAT. FNAM wonders if this NPA dedicated to OCC would be the result of current work of RMT.0599 on EBT and the A4A's proposals for simplified OCC.</p> <p>PROPOSAL</p> <p>Precise implicated RMTs for future EBT works</p>
response	<p>Noted</p>
comment	<p>38</p> <p>comment by: <i>European Powered Flying Union</i></p> <p>1.3. The next steps, last para, page 4/56</p> <p>EBT for helicopters and NCC: We propose to include NCO in this next step.</p> <p>Rationale: Thinking of how quickly nowadays flight crews graduate from SEP to CAT operations training and checking flight crews should follow the same guidelines from the scratch. trying to change mindsets en-route will provoke confusion at all involved levels.</p>
response	<p>Noted</p> <p>Please refer to EPAS where future rulemaking activities in regard to EBT are presented. Helicopter CAT operations are included. However, EASA is currently not including NCO in the context of EBT.</p>
comment	<p>52</p> <p>comment by: <i>Airbus Helicopters</i></p>



	<p>NPA 2018-07(A) paragraph 1.3 “the next steps” indicates that the EBT for helicopters NPA will be published in the course of 2021. However the EPAS 2019-2023 from EASA indicates the activity should take place in a phase III of the RMT with an NPA in Q3 2024. We kindly request EASA to confirm the planning.</p> <p>On this RMT.0599 Airbus Helicopters is interested to be part of the discussion as soon as Part-FCL is amended. Indeed we are concerned about Part-FCL modification because of our OEM responsibilities in the field of Operational Suitability Data Flight Crew Training</p>
response	Noted

2.1. Why we need to change the rules—issue/rationale p. 5-9

comment	<p>10 comment by: <i>FNAM</i></p> <p>AGREEMENT page 8 FNAM thanks EASA for taking benefit of current requirements to build EBT requirements. Indeed, in that way, these new provisions would be easier to implement and demonstrate.</p>
response	Noted

comment	<p>39 comment by: <i>European Powered Flying Union</i></p> <p>2.1.3 ICAO amendments page 9/56</p> <p>FCLTP started many years ago, ICAO published Doc 9868 in 2006 as PANS-TRG, amended it in 2013, we now write 2018. At the same time we have to consider new challenges (e.g. the aircraft-the RPAS/UAS/UAV/drone collision risk, not to name it). 2006 till 2018 is an extremely long period in time, especially when safety is the driver toward better solutions. We therefore are of the opinion that GM only should be prepared, not amendments to a Regulation.</p> <p>Rationale: GM make it much easier to cope with the new challenges you meant already in your Executive Summary. Any new Regulations or any adjustment may take years to be put in force, "Part-M light", "B2L and L Licences", "Technical Records" may be mentioned here as examples.</p>
response	<p>Not accepted Please refer to EPAS.</p>

2.2. What we want to achieve—objective p. 9-10

comment	<p>11 comment by: <i>FNAM</i></p> <p>ISSUE</p>
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	<p>FNAM thanks EASA for aligning European requirements with latest ICAO requirements. Plus, this NPA main objective is to improve assessment and training of human factors. Since human factor has always been a controversial subject, FNAM wonders if IFALPA's position is in line with the EASA's proposed disposals.</p> <p>PROPOSAL Ensure that IFALPA's position is in line with these EASA's proposed disposals</p>
response	Noted

2.4. What are the expected benefits and drawbacks of the proposals

p. 11-12

comment	<p>3 comment by: <i>Michel Lacombe AF Training department and AF ATO</i></p> <p>Here we can read : Although the amount of training in EBT remains unchanged, the role of the trainer will be now performed under the privileges of type rating instructor (TRI) licence, instead of type rating examiner (TRE) licence.</p> <p>Why in NPA (part B) we do not use the same wording and by this lack of precision allow all type of instructors to be acceptable for EBT, even if they have not any experience of line operations and of the operator's context (SFI, CRI) ?</p>
response	<p>Accepted The text has been amended.</p>

comment	<p>12 comment by: <i>FNAM</i></p> <p>ISSUE A Negative social impact may affect pilots. Indeed, as some license would be based on EBT and some license based on LPC, EASA and NAA should ensure that no discrimination would be able between these two programs. In the same way, a pilot should not be able to be better considered by an operators because he is / was EBT trained.</p> <p>PROPOSAL Ensure no discrimination are possible between pilot EBT trained and pilot LPC trained</p>
response	<p>Noted There would be no discrimination between an EBT-trained pilot and an LPC-trained pilot. The level of safety is ensured for both EBT-trained pilots and LPC-trained pilots because:</p> <p>(a) pilots are required to perform the manoeuvres of the LPC (Appendix 9) once every 3 years (reference ORO.FC.231(d)(2) and the associated AMC and GM); and</p> <p>(b) the tables of assessment and training topics in EBT (ORO.FC.232 and the associated CSs) provide a similar frequency in the manoeuvres that are contained in the LPC.</p>

comment	<p>13 comment by: <i>FNAM</i></p> <p>ISSUE FNAM thinks that the negative economic impact of implementing EBT should be better studied by EASA. Indeed, only positive economic impacts are developed but</p>
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	<p>FNAM wonders if the implementation of EBT would not have a small negative impact during the demonstration phase to the competent authorities. Although this study presents concrete economic impacts, details should be provided in order to understand properly its impacts. Since costs may vary depending on operators experiences, competences, size, etc., this costs calculation should be developed. For example, the cost of 900€ per pilots should be demonstrate in order to understand which costs are covered by this study. Operators would therefore be able to study the real impact of EBT on their own activities considering EASA calculation means.</p> <p>PROPOSAL Study the negative economic impact of EBT implementation phase; and Develop costs calculation</p>
response	<p>Accepted The text has been modified in order to better present the costs.</p>
comment	<p>50 comment by: CAE</p> <p>The second paragraph pre-supposes that the level of education and training of personnel ONLY employed within the AOC holder will be improved due to EBT. This is misleading because there is no reference to any involvement of ATO and its personnel, especially the cadre of instructors and examiners employed who will contribute and provide EBT solutions.</p> <p>We believe there is a typo in the last sentence of §2 where it should state 'the role of the examiner' and not 'the role of the trainer'.</p>
response	<p>Accepted The text has been modified.</p>

3.1. Impact Assessment - What is the issue	p. 13
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comment	<p>40 comment by: European Powered Flying Union</p> <p>3.1 What is the issue, last para page 13/56</p> <p>"Competence-based training has been successfully used across many industries" you write.</p> <p>Question: As I am personally interested in all modes of transport may I kindly ask you to present 2...3 examples relevant to aviation? Many thanks.</p>
response	<p>Noted, Please be advised that the competency-based training approach is used among others in medicine, engineering, and in various business sectors.</p>
comment	<p>43 comment by: European Powered Flying Union</p>



	<p>3 Impact assessment (IA) starting on page 13/56</p> <p>Many thanks for this impact assessment. In my more than 10 years of commenting on NPA the one presented here is the most complete and comprehensive one. Congratulations from my side.</p> <p>Comparing "CAT figures" with "non-CAT figures" probably is a risky task.</p> <p>Rationale: We think, however, a well-prepared research on the latter will lead to results convincing GA operators as well.</p>
response	Noted

3.1. Impact Assessment - Regulatory background and evolution

p. 13-17

comment	<p>14</p> <p style="text-align: right;">comment by: <i>FNAM</i></p> <p>ISSUE '... to determine the relevance of existing pilot training and to identify the most critical areas of pilot training according to aircraft generation'. Precisions should be added to the summary. Indeed, the pilot training should be adapted to aircraft generation but also to operator activities and operation characteristics.</p> <p>PROPOSAL Add precision that the training should be adapted also to operator activities and operation characteristics</p>
response	<p>Accepted The text has been modified.</p>
comment	<p>15</p> <p style="text-align: right;">comment by: <i>FNAM</i></p> <p>ISSUE FNAM agrees that, in EBT implementation, the more challenging would be the modification of training, roles and responsibilities for instructors and examiners. Besides new competencies, their responsibilities would be modified and need to be seriously studied. For example, the examiner would have to validate pilot license once per year although they do not follow the training of the pilot since only instructors are allowed to perform EBT trainings. FNAM wonders what is EASA's level of apprehension of this issue and its associated risk.</p> <p>PROPOSAL Ensure examiners responsibilities correspond to examiners assessment means</p>
response	<p>Noted The impact assessment analyses the impact of the proposed changes. Therefore, the issue is analysed there.</p>



comment	16	comment by: <i>FNAM</i>
	<p>AGREEMENT</p> <p>FNAM agrees that EBT should provide a more flexible and efficient framework since operators will provide flight crew training that will:</p> <ul style="list-style-type: none"> • Address the core competencies; and • Consider specific risks they face and thus be tailored to their needs. 	
response	Noted	
comment	41	comment by: <i>European Powered Flying Union</i>
	<p>3.2 Regulatory background and evolution page 14, last para</p> <p>Among the mentioned "flight crew non-technical skills" we are aware of in General Aviation operations we "late/poor decisionmaking" and "lack of situational awareness" as in other operational modes. This fact is the driver of our rationale to introduce EBT as quickly as possible in all domains.</p>	
response	Noted	
comment	42	comment by: <i>European Powered Flying Union</i>
	<p>3.2.2 How could the issue/problem evolve, first para page 16/56</p> <p>"...the training provided to the flight crew inadequate, inefficient or insufficient for the flight crew to recognise flight deviations and to handle them safely" is another argument supporting the quickest possible change to EBT.</p> <p>Rationale: We all know, we believe, what went wrong. So immediate reaction to this safety problem is required. GM is more rapidly put in place than any regulation ever has been, GM will be respected by the stakeholders, we are convinced.</p>	
response	The support in favour of the proposed changes is noted.	
comment	51	comment by: <i>CAE</i>
	<p>§3.2.1</p> <p>Our previous comment refers (no.49) to this paragraph, where there is no reference to ATOs as a stakeholder, and yet ATOs are referred to in the executive summary. We are fully aware that a training provider or ATO is able to be sub-contracted by an Operator under ORO.GEN.205. The ATO cadre of instructors and examiners are still required to meet the requirements brought into OPS and FCL specifically related to EBT, but an opportunity has been missed in this NPA to develop, solidify, or even</p>	

enhance, the AOC-ATO relationship in respect of the provision of training services, especially EBT. This relationship is also something that IATA has been working on.

With regards to the reference to CAT operators - we would be very grateful to receive a definitive answer as regards to the applicability of EBT to Business/Corporate Aviation operators holding full AOCs and operating the same generation aircraft, and in some instances the same aircraft (but in a business configuration) in the same operational environment as 'Airline' operators. The EASA definitions of the four categories of operations, based on the commerciality of the operations and the complexity of the aircraft operated is confusing when assessing the applicability of EBT. Business Aviation, due to its specificities belongs to more than one category - CAT operations for all commercial operations; NCC for all corporate operations; and even NCO for some specific airframes. Clarification will help us understand the application of EBT to our business aviation training customers.

response

Noted

EASA has planned the introduction of new aircraft types to EBT in the 3rd Phase of RMT.0599. This phase of RMT.0599 is fundamentally focused on the introduction of helicopters and business jets. The initiation of this phase is planned for 2022. See more information in the latest EPAS.

3.4. Impact Assessment - How it could be achieved—options

p. 17-20

comment

17

comment by: *FNAM*

ISSUE

Option 1 is the best option. Indeed, operators which have enough resources to implement this new training could follow European guidance. Plus, operators from small and medium enterprises with non-complex aircraft or with orphan aircraft would be able to continue their activities and continue to ensure a high level of safety thanks to the legacy training. Nevertheless, European guidance should take into account the different type of activities and size of operators through EBT guidance in order to encourage all operators to implement this new training. EBT principle should be encouraged to small operators in order to enhance flight safety level and improve the global European training efficiency. Flexible provisions should be provided for small operators in order to facilitate and organize resources and data pooling thanks to manufacturers or between operators to implement EBT. In that way, EBT may be implemented by more operators and the level of safety would be greater.

PROPOSAL

Take into account the different types of activities and size of operators through EBT guidance in order to encourage all operators to implement this new training; and Allow flexibilities for small operators and encourage EBT implementations thanks to pooling resources and data with manufacturers or between operators

response

The proposal is noted. For small operators, EASA establishes a safety promotion task (SPT.012) to support the implementation of EBT.

comment

18

comment by: *FNAM*

	<p>ISSUE</p> <p>FNAM thinks that the best option would be option 1.1 The current revalidation process should be the same for all CAT operators: the one with EBT training, the one with legacy training. In that way, no discrimination between pilots are possible. A Negative social impact may affect pilot. Indeed, as some licenses would be based on EBT and some licenses based on LPC, EASA and NAA should ensure that no discrimination would be able between these two licenses. In the same way, a pilot should not be able to be better considered by an operators because he is / was EBT trained.</p> <p>PROPOSAL</p> <p>Ensure no discrimination are possible between pilot EBT trained and pilot LPC trained Validate Option 1.1</p>
response	<p>Noted</p> <p>There would be no discrimination between an EBT-trained pilot and an LPC-trained pilot. The level of safety is ensured for both EBT-trained pilots and LPC-trained pilots because:</p> <ul style="list-style-type: none"> (a) pilots are required to perform the manoeuvres of the LPC (Appendix 9) once every 3 years (reference ORO.FC.231(d)(2) and the associated AMC and GM); and (b) the tables of assessment and training topics in EBT (ORO.FC.232 and the associated CSs) provide a similar frequency in the manoeuvres that are contained in the LPC.
comment	<p>19 comment by: FNAM</p> <p>ISSUE</p> <p>Sub-option 1.2 is not a viable option. Indeed, if pilot license remains on AOC holder validation , that means that it could be very difficult to get an equivalent license for the pilot. Thus, it would be very difficult to change of companies.</p> <p>PROPOSAL</p> <p>Do not take sub-category 1.2</p>
response	<p>Agreed</p> <p>Option 1.2 is discarded based on the argument mentioned in the impact assessment.</p>
comment	<p>20 comment by: FNAM</p> <p>ISSUE – subcategory 1.3</p> <p>FNAM agrees that, in EBT implementation, the more challenging would be the modification of training, roles and responsibilities for instructors and examiners. Besides new competencies, their responsibilities would be modified and need to be seriously studied. For example, the examiner would have to validate pilot license once per year although they do not follow the training of the pilot since only instructors are allowed to perform EBT trainings. Examiners would have to assess and validate license solely on the basis of instructors’ declarations. FNAM wonders what is EASA’s level of apprehension of this issue and its associated risk.</p> <p>PROPOSAL</p> <p>Ensure examiners responsibilities correspond to examiners assessment means</p>
response	<p>Noted</p>

The impact assessment analyses the impact of the proposed changes. Therefore, the issue is analysed there.

3.5. Impact Assessment - Methodology and data

p. 21-24

comment

21

comment by: *FNAM*

ISSUE

'The analysis, therefore, recognizes different impacts for small/medium operators in starting and running EBT.'

FNAM thanks EASA for this conclusion. Nevertheless, this issue should be better considered in the RIA and IA. Indeed, flexibilities to EBT guidance and requirements would help to dig the gap between airlines and small and medium operators. EBT principle should be encouraged to small operators in order to enhance flight safety level and improve the global European training efficiency. Flexible provisions should be provided for small operators in order to facilitate and organize resources and data pooling thanks to manufacturers or between operators to implement EBT. In that way, EBT may be implemented by more operators and the level of safety would be greater.

PROPOSAL

Consider the size of operator and their types of activity in EBT guidance an requirements; and

Allow flexibilities for small operators and encourage EBT implementations thanks to pooling resources and data with manufacturers or between operators

response

Noted

The impact assessment analysed the impact on small operators and the conclusions have been validated during the stakeholder consultation. The analysis confirmed that there would be benefits for small operators in implementing EBT. In order to encourage small operators, EASA has established a safety promotion task (SPT.012) to support EBT deployment and implementation.

3.6. Impact Assessment - What are the impacts

p. 24-52

comment

22

comment by: *FNAM*

AGREEMENT

FNAM agrees that if operators would be able to develop less complex training programs and implement the principles of competency-based-training in all training programs, operators implementing EBT would have a positive economic impact.

response

The agreement with the proposed changes is noted.

comment

23

comment by: *FNAM*

ISSUE

A Negative social impact may affect pilot. Indeed, as some licenses would be based on EBT and some licenses based on LPC, EASA and NAA should ensure that no discrimination would be able between these two programs. In the same way, a pilot



response	<p>should not be able to be better considered by an operators because he is / was EBT trained.</p> <p>PROPOSAL Ensure no discrimination are possible between pilot EBT trained and pilot LPC trained</p> <p>Noted</p> <p>There would be no discrimination between an EBT-trained pilot and an LPC-trained pilot. The level of safety is ensured for both EBT-trained pilots and LPC-trained pilots because:</p> <p>(a) pilots are required to perform the manoeuvres of the LPC (Appendix 9) once every 3 years (reference ORO.FC.231(d)(2) and the associated AMC and GM); and</p> <p>(b) the tables of assessment and training topics in EBT (ORO.FC.232 and the associated CSs) provide a similar frequency in the manoeuvres that are contained in the LPC.</p>
comment	<p>24 comment by: <i>FNAM</i></p> <p>ISSUE FNAM agrees that, in EBT implementation, the more challenging would be the modification of training, roles and responsibilities for instructors and examiners. Besides new competencies, their responsibilities would be modified and need to be seriously studied. For example, the examiner would have to validate pilot license once per year although they do not follow the training of the pilot since only instructors are allowed to perform EBT trainings. Examiners would have to assess and validate license solely on the basis of instructors' declarations. FNAM wonders what is EASA's level of apprehension of this issue and its associated risk.</p> <p>PROPOSAL Ensure examiners responsibilities correspond to examiners assessment means</p>
response	<p>Noted</p> <p>The impact assessment analyses the impact of the proposed changes. Therefore, the issue is analysed there.</p>
comment	<p>25 comment by: <i>FNAM</i></p> <p>ISSUE 3.6.4.2.1 FNAM wonders on which basis the presented prices and costs are based. Indeed, they may be not representative for all European Member States and for most of operators. Although this study presents concrete economic impacts, details should be provided in order to understand properly the impact. Since costs may variate depending on operators experiences, competences, size, etc., this costs calculation should be developed. For example, the cost of 900€ per pilots should be developed in order to understand which costs are covered by this study. Operators would therefore be able to study the real impact of EBT on their own activities considering EASA calculation means.</p> <p>PROPOSAL Precise the cost and price basis; and Develop costs calculation</p>
response	<p>Accepted</p>

The text has been modified to better present the costs.

comment

26

comment by: *FNAM***ISSUE**

The proposed economic analysis is not adapted for all airlines. A lot of airlines with less than 300 pilots should be able to implement EBT training. Nevertheless the two cases are too extreme: 1000 pilots case 1 and 100 pilots case 2. Intermediate cases are not rare. Therefore, FNAM suggests that EBT guidance and requirements should be flexible in a manner that medium airlines, with less than 300 pilots should be able to implement it without being an economic burden. In that way, EBT principle should be encouraged to small operators in order to enhance flight safety level and improve the training efficiency. Flexible provisions should be provided for small operators in order to facilitate and organize resources and data pooling thanks to manufacturers or between operators to implement EBT. In that way, EBT may be implemented by more operators and the level of safety would be greater.

PROPOSAL

Study an intermediate case; and

Allow flexibilities for small operators and encourage EBT implementations thanks to pooling resources and data with manufacturers or between operators

response

Noted

The impact assessment analysed the impact on small operators and the conclusions have been validated during the stakeholder consultation. The analysis confirmed that there would be benefits for small operators in implementing EBT. In order to encourage small operators, EASA has established a safety promotion task (SPT.012) to support EBT deployment and implementation.

comment

27

comment by: *FNAM***ISSUE**

Case study 2 is not representative of small operators. Indeed, even smaller enterprises should be considered.

PROPOSAL

Add a case study with smaller operators

response

Noted

Case study 2 is not aimed at being representative for all small operators. It concludes that there are benefits for small operators in implementing EBT in recurrent training and checking of flight crew. In order to encourage small operators, EASA has established a safety promotion task (SPT.012) to support EBT deployment and implementation.

comment

28

comment by: *FNAM***ISSUE**

‘Option 1 would not have a negative impact, because this option will be implemented on a voluntary basis.’

FNAM agrees but fears that therefore, almost no operator would implement EBT trainings due to the triggered costs, only large operators would be able to implement properly EBT trainings. This issue should be better considered in the RIA and IA. Plus,



	<p>flexibilities to EBT guidance and requirements would help to dig the gap between airlines and small and medium operators.</p> <p>Indeed, EBT principle should be encouraged to small operators in order to enhance flight safety level and improve the global European training efficiency. Flexible provisions should be provided for small operators in order to facilitate and organize resources and data pooling thanks to manufacturers or between operators to implement EBT. In that way, EBT may be implemented by more operators and the level of safety would be greater.</p> <p>PROPOSAL</p> <p>Consider the size of operator and their types of activity in EBT guidance an requirements; and</p> <p>Allow flexibilities for small operators and encourage EBT implementations thanks to pooling resources and data with manufacturers or between operators</p>
response	<p>Noted</p> <p>In order to encourage small operators, EASA has established a safety promotion task (SPT.012) to support EBT deployment and implementation.</p>

comment	<p>44 comment by: <i>European Powered Flying Union</i></p> <p>3.6 What are the impacts 3.6.4.2.2. Economic impact for the competent authorities page 50/456, last para, page 51/56 contd.</p> <p>The Agency writes: "...would result in increased costs for the competent authorities..."</p> <p>Remark: So we shall have to pay attention to any eventual increases in taxes and fees, there is a risk that in the end the impact for the competent authorities will be an impact for the operators.</p>
response	<p>The analysis does not present the impact on eventual increase in the taxes and fees of the competent authority, as this is beyond the EASA remit.</p>

3.7. Impact Assessment - Conclusion

p. 52-53

comment	<p>45 comment by: <i>European Powered Flying Union</i></p> <p>3.7 Conclusion 3.7.1 Comparison of options page 52/56</p> <p>Well, we think in the long run Option 0 will produce negative scores.</p>
response	<p>Accepted</p>

3.6. Impact Assessment - Monitoring and evaluation

p. 53



comment	46	comment by: <i>European Powered Flying Union</i>
	3.8 Monitoring and evaluation page 53/56 "peanut": the CRT shows a second "3.6"	
response	Noted	



